

FIFTY-SEVENTH LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Dr. Charles E. Boddie, President Emeritus, American Baptist College, Nashville, Tennessee.

Representative Love led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--91.

The Speaker announced that Representative Smith was excused because of personal business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate

Bills Nos.:

- 1273--To regulate Elk River Development Agency;
- 1279--To regulate Chickasaw Basin Authority;
- 1282--To regulate Board for Licensing Health Care Facilities;
- 1286--To regulate Sequatchie Valley Planning and Development Agency;
- 1288--To regulate Tombigbee Waterway Development Authority;
- 1296--To regulate Beech River Watershed Authority;
- 1300--To regulate Upper Duck Development Agency;
- 1302--To regulate Health Facilities Commission;
- 1308--To regulate Tennessee Corrections Institute;
- 1350--To regulate paternity actions;
- 1360--To regulate statement of proper distribution, certain estates;
- 1403--To make provisions, public school textbooks;
- 1439--To regulate auditing, certain financial report of court clerks;
- 1476--To levy severance tax, certain minerals, county governments;
- 1479--To define professional bondsmen;
- 1486--To regulate Chickasaw Basin Authority;
- 1490--To regulate position, jurors; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1627--To enact Ridesharing Act; substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1504, 1506, 1510 and 1850; also House Joint Resolutions Nos. 306, 313, 314, 316, 318, 320, 321, 322, 323, 324, 325, 327, 328, 329, 333, 334, 335, 345, 347, 354 and 385; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1399, 1417, 1430 and 1913; also, Senate Joint Resolution No. 176; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 1399, 1417, 1430 and 1913; and Senate Joint Resolution No. 176.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

339--Relative to memory, Jimmy Samplly;

340--Relative to honoring Annette Drew;

341--Relative to recognizing Ed Moody;

346--Relative to honoring Turner Peebles;

349--Relative to honoring Memphis State University Coach Mary Lou Johns;

350--Relative to congratulating Humboldt Board of Education;

351--Relative to congratulating Crockett County High School basketball teams;

352--Relative to memory, former State Representative Frank Garner;

353--Relative to honoring Mayor Joseph G. Taylor;

356--Relative to congratulating William H. Walker, III

357--Relative to congratulating Adamsville High School football team;

377--Relative to recognizing Little Dutch restaurant, Morristown;

381--Relative to congratulating Celina High School Boys' basketball team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

379--Return to honoring Mr. Alfordson Nelson; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

House Bill No. 1489--To allow part-time employees to participate in retirement system.

Mr. Rhinehart moved that House Bill No. 1489 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1489 in SECTION 1 and SECTION 3 by inserting the following in the amendatory language after "age twenty-five (25);":

"temporary employees in institutions of higher education;"

On motion, the amendment was adopted.

Thereupon, House bill No. 1489, as amended passed its third and final consideration by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew,

Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative present and not voting was: Ussery--1.

A motion to reconsider was tabled.

House Bill No. 1880--To amend Business Tax Act.

Mr. Scruggs moved that House Bill No. 1880 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter --92.

Representative present and not voting was: Napier--1.

A motion to reconsider was tabled.

House Bill No. 1857--To amend Section 67-1-803, Code.

On motion, House Bill No. 1857 was made to conform with Senate Bill No. 1973.

On motion, Senate Bill No. 1973, on same subject, was substituted for House Bill No. 1857.

THURSDAY, APRIL 5, 1984--57th LEGISLATIVE DAY

Mr. Atchley moved that Senate Bill No. 1973 be passed on third and final vote:

Ayes 92
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Ms. Duer moved that House Bill No. 1848 be placed on the Calendar for Monday, April 9, 1984, which motion prevailed.

House Bill No. 1752--To increase tax, coin-operated amusement devices.

On motion, House Bill No. 1752 was made to conform with Senate Bill No. 1580.

On motion, Senate Bill No. 1580, on same subject, was substituted for House Bill No. 1752.

Mr. McKinney moved that Senate Bill No. 1580 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh,

Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--93.

A motion to reconsider was tabled.

Mr. Robertson moved that House Bill No. 1815 be placed on the Calendar for Monday, April 9, 1984, which motion prevailed.

House Bill No. 1646--To regulate fraternity initiations.

Mr. Love moved that House Bill No. 1646 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1646 by deleting the period at the end of subsection (c) of the amendatory language of Section 1 and substituting instead the following:

punishable by imprisonment for a period not to exceed eleven (11) months and twenty-nine (29) days.

On motion, the amendment was adopted.

Mr. Love moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1646 by deleting the word "present" from Section ___. (b) of the amendatory language of Section 1 and substituting therefor the following language:

"and/or an alumnus/alumnae of the fraternity or sorority present"

On motion, the amendment was adopted.

Mr. Love moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1646 by deleting from subsection (a) of the amendatory language of Section 1 the words "ask initiates", and substituting instead the words "require initiates".

On motion, the amendment was adopted.

Mr. Love moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1646 by adding a new subsection () to the amendatory language of Section 1 as follows:

() For purposes of this act, "hazing" shall be defined as:

Any willful act of any one student alone or acting with others, directed against a student of an educational institution, which intentionally creates or produces mental or physical discomfort, embarrassment or ridicule; any form of intimidation, verbal or physical harassment or abuse such as striking, beating, bruising or maiming; offering, threatening or attempting to strike, beat, bruise or maim, or attempt to do physical violence or any assault upon such student made for the purpose of committing any of said acts, or producing any of the results described in this section; any willful act done for the purpose of submitting a student to indignity or humiliation.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1646, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative present and not voting was: Hudson--1.

A motion to reconsider was tabled.

Mr. Jones moved that House Bill No. 1372 be placed on the Calendar for Thursday, April 12, 1984, which motion prevailed.

House Joint Resolution No. 288--Relative to urging Congress to defeat Tax-Exempt Bond Limitation Act.

Mr. Murphy moved that House Joint Resolution No. 288 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1879--To regulate practice of dentistry.

Mr. Scruggs moved that House Bill No. 1879 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1879 by deleting Section 1 in its entirety and renumbering subsequent sections accordingly.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1879, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy,

Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Covington--1.

A motion to reconsider was tabled.

House Bill No. 1433--To make certain provisions, Chickasaw Basin Authority.

On motion, House Bill No. 1433 was made to conform with Senate Bill No. 1486.

On motion, Senate Bill No. 1486, on same subject, for House Bill No. 1433.

Mr. Moore (Shelby) moved that Senate Bill No. 1486 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 109 out of order, which motion prevailed.

House Resolution No. 109--Relative to honoring 1984 Woman of the Year Award recipients--By DeBerry.

Ms. DeBerry moved that the rules be suspended for the immediate consideration of House Resolution No. 109, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Bill No. 1901--To make certain provisions, barber instructors.

On motion, House Bill No. 1901 was made to conform with Senate Bill No. 1693.

On motion, Senate Bill No. 1693, on same subject, was substituted for House Bill No. 1901.

Mr. Moore (Shelby) moved that Senate Bill No. 1693 be placed on the Calendar for Monday, April 9, 1984, which motion prevailed.

House Bill No. 1607--To make certain provisions, bad checks.

Mr. Naifeh moved that House Bill No. 1607 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	8
Present and not voting	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Mr. Speaker McWherter--83.

Representatives voting no were: Buck, Henry, Murphy, Pruitt, Robertson, Sir, Withers and Yelton--8.

Representatives present and not voting were: King (Shelby) and Pickering--2.

A motion to reconsider was tabled.

House Bill No. 1508--To authorize mutual aid agreements, fire fighting assistance.

Mr. McNally moved that House Bill No. 1508 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter --94.

A motion to reconsider was tabled.

House Joint Resolution No. 263--Relative to study, establishment of rape crisis centers.

Mr. McNally moved that House Joint Resolution No. 263 be adopted, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter --92.

A motion to reconsider was tabled.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent Calendar:

Mr. Clark (Sumner) objected to House Bill No. 1778.

Under the rules, House Bill No. 1778 was placed at the foot of the Calendar for Monday, April 9, 1984.

House Bill No. 124--To continue board of examiners for registered professional environmentalists.

On motion, House Bill No. 124 was made to conform with Senate Bill No. 1317.

On motion, Senate Bill No. 1317, on same subject, was substituted for House Bill No. 124.

House Bill No. 132--To continue Chickasaw Basin Authority.

On motion, House Bill No. 132 was made to conform with Senate Bill No. 1279.

On motion, Senate Bill No. 1279, on same subject, was substituted for House Bill No. 132.

House Bill No. 138--To continue board of registration in podiatry.

On motion, House Bill No. 138 was made to conform with Senate Bill No. 1318.

On motion, Senate Bill No. 1318, on same subject, was substituted for House Bill No. 138.

House Bill No. 141--To continue anatomical board of Commissioners.

On motion, House Bill No. 141 was made to conform with Senate Bill No. 1281.

On motion, Senate Bill No. 1281, on same subject, was substituted for House Bill No. 141.

House Bill No. 143--To continue health facilities commission.

On motion, House Bill No. 143 was made to conform with Senate Bill No. 1302.

On motion, Senate Bill No. 1302, on same subject, was substituted for House Bill No. 143.

House Bill No. 159--To continue board for licensing health care facilities.

On motion, House Bill No. 159 was made to conform with Senate Bill No. 1282.

On motion, Senate Bill No. 1282, on same subject, was substituted for House Bill No. 159.

House Bill No. 173--To continue the wastewater operators certification board.

On motion, House Bill No. 173 was made to conform with Senate Bill No. 1303.

On motion, Senate Bill No. 1303, on same subject, was substituted for House Bill No. 173.

House Bill No. 518--To continue board of dentistry.

On motion, House Bill No. 518 was made to conform with Senate Bill No. 1295.

On motion, Senate Bill No. 1295, on same subject, was substituted for House Bill No. 518.

House Bill No. 1203--To create licensing board, hearing aid dispensers.

On motion, House Bill No. 1203 was made to conform with Senate Bill No. 1290.

On motion, Senate Bill No. 1290, on same subject, was substituted for House Bill No. 1203.

House Bill No. 1933--To terminate board of trustees for tuberculosis control.

House Bill No. 1939--To terminate poison control centers advisory committees.

Senate Joint Resolution No. 165--Relative to honoring Mrs. Sarah McKelley King.

House Joint Resolution No. 383--Relative to congratulating Tellico Plains High School girls' basketball team.

House Joint Resolution No. 384--Relative to honoring Dawn James.

House Joint Resolution No. 386--Relative to congratulating David Sexton.

House Joint Resolution No. 387--Relative to commending Coach Don Schrother.

House Joint Resolution No. 388--Relative to honoring Judge Bernie Cobb.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 925--To make certain provisions, citations.

SENATE AMENDMENT NO. 1

Amend House Bill No. 925 by deleting from Section 2 of the bill the figure "1983" and substituting instead the figure "1984".

SENATE AMENDMENT NO. 4

Amend House Bill No. 925 by adding the following new section immediately preceding the effective date section and renumbering the effective date section accordingly:

Section _____. The provisions of this act shall not apply to any county having a population of not less than eighty-five thousand seven hundred and twenty-five (85,725) nor more than eighty-five thousand eight hundred and twenty-five (85,825) nor to any county having a population of not less than fifty-six thousand (56,000) nor more than fifty-six thousand one hundred (56,100) according to the 1980 federal census of population or any subsequent federal census.

Mr. Cobb moved that the House concur in Senate Amendments Nos. 1 and 4, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present	96
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Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--96.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 393--Relative to commending Ione Youngblood--By Hillis and Rhinehart.

Under the rules, House Joint Resolution No. 393 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 394--Relative to congratulating Carter High School girls' basketball team--By Smith, Scruggs, Drew, Hudson, Owen, Miller and Severance.

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Under the rules, House Joint Resolution No. 394 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 395--Relative to congratulating Carter High School boys' basketball team--By Smith, Scruggs, Drew, Hudson, Owen, Miller and Severance.

Under the rules, House Joint Resolution No. 395 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 396--Relative to congratulating Polk County High School girls' basketball team--By Harrill.

Under the rules, House Joint Resolution No. 396 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2240--To set term of office, Board of Highway Commissioners, Lake County--By Tanner.

Passed first consideration.

House Bill No. 2241--To amend Section 37-216, Code--By Crain.

Passed first consideration.

SENATE BILL ON SECOND CONSIDERATION

Senate Bill No. 1510--To regulate sentencing, certain felonies.

Passed second consideration and referred to Committee on Judiciary.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2238--To make certain provisions, amusement tax, Polk County.

Passed second consideration and held without reference.

House Bill No. 2239--To amend Section 8-21-1001, Code.

Passed second consideration and referred to Committee on State and Local Government.

REPORT OF DELAYED BILLS COMMITTEE

The undersigned members of the Delayed Bills Committee have

approved the following bill: House Bill No. 2239.

Ned R. McWherter

James R. McKinney

James M. Henry

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 833--McAfee

House Bill No. 925--Kent

House Bill No. 1644--Stallings

House Bill No. 1879--Kent

House Bill No. 1880--Kent

House Joint Resolution No. 364--Frensley

LOCAL BILL TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 2238.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, April 9, 1984: House Bill No. 1751, House Joint Resolutions Nos. 393, 394, 395, 396 and House Bill No. 2238.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, April 9, 1984: House Bills Nos. 1417, 1608, 1910, 1418,

1535, 1534, 1547, 1414, 1531, 1836, 1837 and 1989.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1640--To regulate hunting and chasing of coons; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1740--To increase pension of Confederate Widows; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

371--Relative to honoring Evangelist Nettie B. Rogers;

390--Relative to congratulating Brainerd High School boys' basketball team; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1504, 1506, 1510 and 1850; and House Joint Resolutions Nos. 306, 313, 314, 316, 318, 320, 321, 322, 323, 324, 325, 327, 328, 329, 333, 334, 335, 345, 347, 354 and 385 for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

138--Relative to Tennessee Healthy Children Initiative Program;

179--Relative to congratulating Virgie Ellis; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1558--To provide protection, cemeteries;

1559--To regulate bail bond certificates;

1566--To enact Personal Rights Protection Act of 1984;

1581--To limit acres, open space land;

1609--To create presumption, certain expenses, property repairs;

1610--To regulate reporting, sales of aircraft;

1611--To regulate sick leave, state employees;

1612--To make certain provisions, group insurance plan, state employees;

1617--To define industrial machinery;

1726--To regulate property tax exemptions;

1768--To regulate fees, certain notices;

1791--To regulate State Board of Pharmacy;

1884--To regulate sale, red fox hides;

1888--To regulate local sales tax rate;

1950--To provide for certain approval, Commissioner of Finance and Administration;

1968--To extend filing period, severance tax reports;

2020--To provide support, students, high school;

2031--To regulate powers, local boards of education; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1489, 1508, 1607, 1646, 1879, 1880, 1933 and 1939; and House Joint Resolutions Nos. 263, 288, 383, 384, 386, 387 and 388; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 371 and 379; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 371 and 379.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 371 and 379; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions

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Nos. 371 and 379; for his action.

**MARILYN EVELYN HAND,
Chief Engrossing Clerk.**

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m.,
Monday, April 9, 1984.